

Based Upon: PCT/CH00/00351

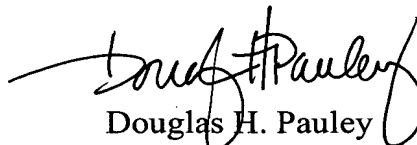
REMARKS

Applicant respectfully requests entry of the above Preliminary Amendment to place this Patent Application in better form for examination and prosecution before the U.S. Patent and Trademark Office.

The claims have been amended to eliminate multiple dependent claims and to more definitely and fully claim the subject matter of Applicant's invention. Applicant urges that the above Preliminary Amendment introduces no new matter into this Patent Application.

Applicant sincerely believes that this Patent Application is now in condition for examination and prosecution before the U.S. Patent and Trademark Office.

Respectfully submitted,


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VERSION WITH MARKINGS TO SHOW CHANGES MADE

1. (Amended) In a [A] two-part hinge closure (3)[, consisting of] having a lower part (1)[,] which can be placed on a container and [has] having a circumferential first casing wall (10), and a cap (2)[,] which can be connected with the lower part (1) [it] by [means of] a movable hinge and has a second casing wall (20), wherein [both parts] the lower part (1) and the cap (2) are made separately of each other and can be assembled together, [and] wherein [furthermore] in [the] an assembled, closed state the first casing [walls (10, 20) of both hinge closure parts (1, 2)] wall (10) and the second casing wall (20) extend flush above each other, [characterized in that the two parts (1, 2) can be connected] the improvement comprising: the lower part (1) and the cap (2) connectible with each other by a snap hinge[, consisting of] having at least one spring element (24, 124, 204) and at least one coupling element (27, 127, 270), [wherein] in the closed state of the closure (3) the at least one spring element (24, 124, 204) and the at least one coupling element (27, 127, 270) [are] at least approximately flush with the first casing wall [(10, 20) of the closure part (1, 2)] (10) and the second casing wall (20) and are [on which they have been] formed in one piece.

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2. (Amended) In the [The] two-part hinge closure in accordance with claim 1, [characterized in that] wherein the lower part (1) has at least one of a pouring spout (12) [or] and a pouring opening, and the cap (2) [is provided with] has a sealing element (33)[,] which sealingly acts together with the at least one of the pouring spout (12) and the [or] pouring opening in an interlocking manner.

3. (Amended) In the [The] two-part hinge closure in accordance with claim 1, [characterized in that] wherein the at least one spring element [consists of] has two strap retainers (24), wherein [the] ends of the strap retainers (24)[, which] project away from one of the lower part (1) and the cap (2) [the closure part] on which [they have been] each of the strap retainers is injection-molded[,] and are connected with each other [via] by the at least one coupling element (27).

4. (Amended) In the [The] two-part hinge closure in accordance with claim 1, [characterized in that] wherein the at least one spring element (124, 204) [includes] has a snap hinge (101, 200)[, which is] bordered by two curved film hinges[,] which approach each other [in their course] and then move away from each other [again], wherein one of the [one] film [hinge] hinges (125, 202) [constitutes the] forms a first connection with the cap [closure part] (2)[,] to which the at least one spring element [has been] is injection-molded, and [the] an other of the film [hinge]

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hinges (126, 204) [constitutes the] forms a second connection with the at least one coupling element (127, 270).

5. (Amended) In the [The] two-part hinge closure in accordance with claim 4, wherein [characterized in that] the at least one spring element (124) which includes [the] a snap hinge (101) is a flexible material strip (100)[,] on which [whose extension] the at least one coupling element (127) is formed.

6. (Amended) In the [The] two-part hinge closure in accordance with claim 1, wherein [51, characterized in that] a concentric receiving slit (16)[,] which is offset toward [the] a center by [the] a thickness of a [the] casing[,], is provided on one of the lower part (1) and the cap (2) [the closure part (1, 2)], in which the at least one coupling element[,], which is fixedly connected with [the] an other of the lower part (1) and the cap (2) [closure part (1, 2)] is received in an at least one of an interlocking manner and a [and/or] frictionally connected manner.

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7. (Amended) In the [The] two-part hinge closure in accordance with claim 6, [characterized in that the closure part (1, 2)] wherein the one of the lower part (1) and the cap (2) with the receiving slit (16) [in the casing wall] has at least one recess (14)[,] which secures [the] free mobility of the at least one spring element (24, 124) during [the] an opening and closing movement.

8. (Amended) In the [The] two-part hinge closure in accordance with claim 5 wherein, [characterized in that] at least one rib (128)[, which can be] of one of the lower part (1) and the cap (2) connected in a snapped-in fashion with ribs (122) [of the same kind] on [the] an other [closure part] of one of the lower part (1) and the cap (2), is provided on [that] the at least one coupling element (127) which is connected in one piece with the lower part (1) and the cap (2) [closure part (1, 2)].

9. (Amended) In the [The] two-part hinge closure in accordance with claim 1, [characterized in that] wherein a security strip (4) is [also] injection-molded to one of the lower part (1) and the cap (2) [that closure part (1, 2)] on which the at least one spring element (24, 124) and the at least one coupling element (27, 127) are arranged.

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10. (Amended) In the [The] two-part hinge closure in accordance with claim 9, [characterized in that] wherein the at least one coupling element (27, 127) and the security strip (4) extend at least by [the] a same [amount] distance above [the] a casing wall edge of one of the lower part (1) and the cap (2) [the closure part (1, 2) on which they are arranged].

11. (Amended) In the [The] two-part hinge closure in accordance with claim 5, [characterized in that on one closure part the circumferential] wherein one of the first casing wall [(10, 20)] (10) and the second casing wall (20) has a recess (120) which has [at least the] a shape and a size of [the] a material strip (100) which [has been] is injection-molded on [the] an other [closure part] of the lower part (1) and the cap (2).

12. (Amended) In the [The] two-part hinge closure in accordance with claim 1, [characterized in that] wherein a security strip (4) is arranged on one [closure part (1, 2),] of the lower part (1) and the cap (2) which extends around [the closure (3)] as far as [the] a hinge area of the closure.

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13. (Amended) In the [The] two-part hinge closure in accordance with claim 1, [characterized in that the] wherein a security strip (400) is arranged on [each closure] the lower part (1) which is free of [the] a spring element (204) and the at least one coupling element (270) and is at least approximately completely circumferential.

14. (Amended) In the [The] two-part hinge closure in accordance with claim 1, [characterized in that the two closure parts (1, 2)] wherein the lower part (1) and the cap (2) are injection molded from at least one of a different plastic material and a [and/or in] different [colors] color.

15. (Amended) In the [The] two-part hinge closure in accordance with claim 14, [characterized in that at least one closure part (1, 2)] wherein at least one of the lower part (1) and the cap (2) is made of PET.

16. (Amended) In the [The] two-part hinge closure in accordance with claim 1, wherein [characterized in that] the at least one coupling element (27, 127, 270) [is designed in such a way that] in [the] an assembled state [it constitutes] forms a part of one of the first casing wall (10) and the second casing wall (20) [on the closure part on which it can be assembled].

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17. (Amended) In the [The] two-part hinge closure in accordance with claim 1, wherein [characterized in that] a pressing element (19) is arranged on one [closure part] of the lower part (1) and the cap (2) which[,] in [the] an assembled state keeps the at least one coupling element (27, 127) [on the other closure part] frictionally connected with retaining projections (19') [of the first-mentioned closure element].

18. (Amended) In the [The] two-part hinge closure in accordance with claim 4, wherein [characterized in that] the at least one spring element (204) is arranged between the cap (2) and a ring-shaped coupling element [(27=),] (270) which is formed flush on the second casing wall (20) [via] by a tear seam (271).

19. (Amended) In the [The] two-part hinge closure in accordance with claim 18, wherein [characterized in that] in [the] an upper area (211) the first casing wall (10) has a shoulder (212)[,] which is offset inward by [the] a thickness of the first casing wall (10).

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20. (Amended) In the [The] two-part hinge closure in accordance with claim 19, wherein a [characterized in that the] security strip (400) is formed [via] by a predetermined breaking seam (401) in [the] an area of the shoulder (212).

21. (Amended) In the [The] two-part hinge closure in accordance with claim [claims 18 and] 19, wherein a second [characterized in that the] upper area (210) of the second casing wall (20) [is provided with] has retaining notches (211) and the at least one coupling element (270) [is provided with] has retaining beads (206) which interlockingly fit into [the] retaining notches.

22. (Amended) In the [The] two-part hinge closure in accordance with claim 20, [characterized in that] wherein the security strip (400) has a retaining lip (402)[,] which interlockingly extends over a portion of the cap (2).

23. (Amended) In the [The] two-part hinge closure in accordance with claim 22, [characterized in that] wherein the cap (2) has a pressure bead (205) on [the] a lower edge of the second casing wall (20)[,] which is interlockingly held by the retaining lip (402).